



DKW

Atty. Dkt. No. 071949-5604

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Buechler et al.

Title: USE OF THROMBUS PRECURSOR  
PROTEIN AND MONOCYTE  
CHEMOATTRACTANT PROTEIN  
AS DIAGNOSTIC AND  
PROGNOSTIC INDICATORS IN  
VASCULAR DISEASES

Appl. No.: 10/728,067

Filing Date: 12/03/2003

Examiner: Unassigned

Art Unit: 1641

Confirmation Number: 7956

|   |
|---|
| <b>CERTIFICATE OF MAILING</b><br>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.<br><br><u>ANITA PATEL</u><br>(Printed Name)<br><br><u>[Signature]</u><br>(Signature)<br><br><u>August 14, 2006</u><br>(Date of Deposit) |
|---|

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment-IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a

competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The original article was published in French. An English language translation of the article is attached.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 50-0872.

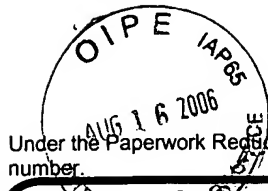
Respectfully submitted,

Date August 14, 2006

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

By Barry S. Wilson

Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

MODIFIED PTO/SB/08 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|   |  |  |  |                          |             |
|---|--|--|--|--------------------------|-------------|
| <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |  |  |  | <b>Complete if Known</b> |             |
|   |  |  |  | Application Number       | 10/728,067  |
| Sheet 1 of 1  |  |  |  | Filing Date              | 12-03-2003  |
|   |  |  |  | First Named Inventor     | BEUCHLER    |
|   |  |  |  | Group Art Unit           | 1641        |
|   |  |  |  | Examiner Name            |             |
|   |  |  |  | Attorney Docket Number   | 071949-5604 |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                    |                       |                      |                                   |   |  |   |
|                    |                       |                      |                                   |   |  |   |
|                    |                       |                      |                                   |   |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |  |   |                |
|                    |                       |                         |                     |                                   |  |  |   |                |
|                    |                       |                         |                     |                                   |  |  |   |                |
|                    |                       |                         |                     |                                   |  |  |   |                |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.                    | T <sup>6</sup> |
|--------------------|-----------------------|---|----------------|
|                    | A1                    | HASSAN et al., "Non-viable myocardium, documented by TL-201 SPECT, is a main determinant of the increase in the secretion of cardiac natriuretic peptides" Medecine Nucleaire, 2000, 24/6, pp 301-310 (Database EMBASE Accession No. 2001129199 and English language translation) |                |
|                    |                       |   |                |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.